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FLOOR DEBATE

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SENATOR BOURNE: ...or an electronic malfunction. And there is an exception to that in the committee amendment, that says if they've made a good faith effort, meaning if they set the recorder out there and they thought that it worked and then it didn't, that that...the confession would not be suppressed. And I also want to clarify that, for purposes of this bill, custodial interrogation means: Questioning initiated by law enforcement officers after a person has been taken into custody or otherwise deprived of his freedom of action in any significant way. And that's according to the case laws interpreted by the Nebraska Supreme Court. So basically it means that when they've...they've been taken into custody, they're sat down, and a confession is elicited. That is...that is the intent. It's not, as Senator Janssen mentioned, on the side of the street where, you know, a drunken driving situation. It's a custodial interrogation.

SENATOR STUHR: Okay, thank you. Thank you. I will continue to listen to the debate and turn the rest of my time back to the Chair. Thank you.

SENATOR CUDABACK: Thank you, Senator Stuhr. Senator Beutler.

SENATOR BEUTLER: Call the question. I want to get to a real discussion of the whole bill.

SENATOR CUDABACK: Do I see five hands? I do see five hands. Question before the body is, cease debate on AM2314, to the committee amendments? All in favor vote aye, opposed nay. We're voting on ceasing debate. Record please, Mr. Clerk.

CLERK: 30 ayes, 1 nay, Mr. President, to cease debate.

SENATOR CUDABACK: Debate does cease. Senator Brashear to close on your amendment.

SENATOR BRASHEAR: Mr. President, members of the body, I thank you for your patience with the enormity of the material we have here. AM2314 is the technical amendment that simply corrects references to the United States Constitution and the Constitution of the state of Nebraska and I would urge its